

03500.017338

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of: )  
MASAHIRO KAWAGUCHI ET AL. )  
Application No.: 10/736,545 )  
Filed: December 17, 2003 )  
For: DNA MICRO-ARRAY HAVING )  
STANDARD PROBE AND KIT )  
INCLUDING THE ARRAY ) February 17, 2004  
Examiner: Not Yet Assigned  
Group Art Unit: Not Yet Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SECOND INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the document listed on the enclosed Form PTO-1449. Since the U.S. Patent and Trademark Office waived the requirement under 37 C.F.R. § 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 U.S.C. § 371 after June 30, 2003, no copies of such documents are enclosed. Copies of the other listed documents are enclosed.

The concise explanation of relevance for the non-English documents may be found, *inter alia*, in the specification where they are cited and in the English language abstracts attached thereto. In addition, the concise explanation of relevance for JP 9-500568 and JP 11-187900 may be found in U.S. Patent Nos. 5,474,796 and 6,476,215 B1, respectively, which are in the same patent family.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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Attorney for Applicants  
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FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			ATTY DOCKET NO. <b>03500.017338</b>		APPLICATION NO. <b>10/736,545</b>		
			APPLICANT <b>Masahiro Kawaguchi et al.</b>				
			FILING DATE <b>December 17, 2004</b>		GROUP <b>N.Y.A.</b>		
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		<b>4,965,188</b>	<b>10/23/90</b>	<b>Mullis et al.</b>	<b>435</b>	<b>6</b>	
		<b>4,683,202</b>	<b>07/28/87</b>	<b>Mullis</b>	<b>435</b>	<b>91</b>	
		<b>6,476,215 B1</b>	<b>11/05/02</b>	<b>Okamoto et al.</b>	<b>536</b>	<b>25.3</b>	
		<b>4,683,195</b>	<b>07/28/87</b>	<b>Mullis et al.</b>	<b>435</b>	<b>6</b>	
		<b>5,474,796</b>	<b>12/12/95</b>	<b>Brennan</b>	<b>427</b>	<b>2.13</b>	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
JP		<b>11-187900</b>	<b>07/13/99</b>	<b>Japan</b>			<b>Abstract</b>
JP		<b>9-500568</b>	<b>01/21/97</b>	<b>Japan</b>			<b>Abstract</b>
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
		<b>Paul D. Siebert et al., "Competitive PCR," 359 <u>Nature</u> 557-58 (October 1992).</b>					
		<b>Paul D. Siebert et al., "PCR MIMICS: Competitive DNA Fragments for Use in Internal Standards in Quantitative PCR," 14(2) <u>BioTechniques</u> 244-49 (February 1993).</b>					
EXAMINER			DATE CONSIDERED				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.